

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Helmut Thoma **GROUP:** 3682
SERIAL NO: 10/647,912 **EXAMINER:** Terence Boes
FILED: August 25, 2003
FOR: GEAR ARRANGEMENT

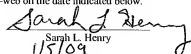
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDED APPEAL BRIEF

This Amended Appeal Brief is in response to the Notice of Non-Compliant Appeal Brief dated December 31, 2008. The replacement "Evidence Appendix" section now includes a corrected definition of the term "separate" and a statement setting forth where the evidence was entered into the record.

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being filed electronically with the Commissioner for Patents via EFS-web on the date indicated below.


Sarah L. Henry
1/5/09
Date

EVIDENCE APPENDIX

1. Merriam-Webster Online Dictionary. This evidence was entered into the record in the July 9, 2007. (Amendment page 11, lines 1-3).



Merriam-Webster
OnLine

Home
Visit Our Sites
Premium Services
Downloads
Word of the Day
Word Games
Open Dictionary
Spelling Bee Hive
Word for the Wise
Online Store
Help
About Us



Also Visit: [Unabridged](#) | [Visual](#) | [Britannica Online Encyclopedia](#) | [ESL](#) | [Learner's](#) **NEW** for K

☒ Dictionary ☐ Thesaurus ☐ Spanish/English ☐ Medical

separate

3 entries found.

☒ On ☐ Off

- 1 separate (verb)
- 2 separate (adjective)
- 3 separate (noun)

Main Entry: **²sep·a·rate**

Pronunciation: \ˈse-p(ə-)rət\

Function: *adjective*

Date: 15th century

1 a : set or kept apart : DETACHED **b** *archaic* : SOLITARY , SECLUDED **c** : IMMATERIAL , DISEMBODED

2 a : not shared with another : INDIVIDUAL <separate rooms> **b** *often capitalized* : estranged from a parent body <separate churches>

3 a : existing by itself : AUTONOMOUS <a separate country> **b** : dissimilar in nature or identity <consulted five separate authorities>

synonyms see DISTINCT

— **sep·a·rate·ly** \-p(ə-)rət-lē, ˈse-pärt-lē\ *adverb*

— **sep·a·rate·ness** \-nəs\ *noun*

Learn more about "separate" and related topics at [Britannica.com](#)

See a map of "separate" in the [Visual Thesaurus](#)

[Find Jobs in Your City](#)

Pronunciation Symbols

Share this entry:

Cap
Earr
Insu
www

"200
Ame
CNN
www

Rev.
Eval
Lots
New

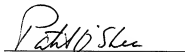
See
Visu
Thin
Visu

CONCLUSION

For all the foregoing reasons, we submit that the rejection of claims 1, 11-14, 18 and 19 is erroneous and reversal thereof is respectfully requested.

If there are any additional fees due in connection with the filing of this amended appeal brief, please charge them to our Deposit Account 50-3381. If a fee is required for any extension of time under 37 C.F.R. §1.136 not accounted for above, such an extension is requested and the fee should be charged to the above Deposit Account.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Patrick J. O'Shea", is written over a horizontal line.

Patrick J. O'Shea
Reg. No. 35,305
O'Shea Getz P.C.
1500 Main Street, Suite 912
Springfield, MA 01115
(413) 731-3100, Ext. 102